

**Notice of Allowability**

Application No.

10/705,923

Examiner

Jacques Veillard

Applicant(s)

JOHNSON ET AL.

Art Unit

2165

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's communication filed 01/29/2007.
2. ☒ The allowed claim(s) is/are 1-16, 21, 22, 30, 31, 45-75, 82, 84-88 (Re-numbered claims 1-57).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**JEFFREY GARFIN**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**

Art Unit: 2165

### **DETAILED ACTION**

1. This action is responsive to the Applicant's amendment filed on 01/29/2007.
2. Claims 17-20, 23-29, 32-44, 76-81, and 83 have been canceled.
3. Claims 1-16, 21, 22, 30, 31, 45-75, 80, 82, 84-88 are pending.

### ***Drawings***

4. The drawings were received on January 29, 2007. These drawings are accepted. Accordingly, they have been placed in the application file.

### ***Allowable Subject Matter***

### ***Reasons For Allowability***

5. Applicant(s) communication filed on January 29, 2007 overcomes the objections and the 35 U. S. C. 112, second paragraph rejection set forth previously in the application.

In view of the Applicant's amendment and remarks, filed May 24, 2006, Examiner has fully considered the amendment and remarks and believes they are deemed to be persuasive.

The present application has been thoroughly reviewed, upon searching a variety of databases, the examiner respectfully submits that claims 1-16, 21, 22, 30, 31, 45-75, 82, 84-88 (Re-numbered claims 1-57) are allowed in light of Applicants' arguments and in light of prior art made of record.

Art Unit: 2165

The closest prior arts Patitucci (U. S. Pat. No. 7,035,862), discloses a method for deriving and sorting information from an information repository including data elements individually associated with corresponding records identifiers, and Neal et al. (U. S. pat. No.7, 043,492) disclose an automated classification of items using classification mapping, the invention as disclose by Neal et al. relates to comparing characteristics of an item associated with a classification system to a mapping in a knowledge base to find candidate categories into which the item can be classified. However, both Patitucci and Neal et al. taken singularly or in combination would not anticipate or render Applicant's claimed invention obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacques Veillard whose telephone number is (571) 272-4086. The examiner can normally be reached on Mon. to Fri. from 9 AM to 4:30 PM, alt. Fri. off..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272- 4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

Art Unit: 2165

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*J.V.*  
*J.V.*

Jacques Veillard  
Patent Examiner TC 2100

February 21, 2007